



PATENT  
ATTORNEY DOCKET NO.: 056159-5028

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
BEINDORFF ET AL )  
Application No.: 09/863,439 ) Group Art Unit: 1654  
Filed: May 24, 2001 ) Examiner: Coe  
For: BLENDS OF URSOLIC ACID/ )  
OLEANOLIC ACID )

Commissioner for Patents  
U.S. Patent and Trademark Office  
2011 South Clark Place  
Customer Window  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, VA 22202

Sir:

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**AMENDMENT TRANSMITTAL FORM**

1. Transmitted herewith is an Amendment and Response to the Examiner's Advisory Action dated April 17, 2003.
2. Additional papers enclosed:
3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

- ☒ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.
- ☐ Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>[Fee for Small Entity]</u>
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 410.00	\$ 205.00
<input type="checkbox"/> three months	\$ 930.00	\$ 465.00
<input type="checkbox"/> four months	\$ 1,450.00	\$ 725.00

Extension of time fee due with this request: \$\_\_

If an additional extension of time is required, please consider this a Petition therefor.

- ☐ An extension for \_\_\_\_ months has already been secured and the fee paid therefor of \$\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

4. Constructive Petition

- ☒ EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

5. Fee Calculation (37 C.F.R. §1.16)

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	Small Entity at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))		minus	20	0	x \$9 each=	+ \$
Independent Claims (37 C.F.R. §1.16(b))		minus	3	0	x \$42 each=	+ \$
[ X ] First presentation of Multiple dependent claim(s)					\$140.00	+ \$
TOTAL =						\$

6. Fee Payment

- ☐ No fee is to be paid at this time.
- ☐ Check in the amount of \$\_\_\_\_\_ for \_\_\_\_\_. The Commissioner is hereby authorized to charge any additional extension of time fee or additional fee for claims due to Deposit Account No. 50-0310.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

By: 

Paul N. Kokulis  
Reg. No. 16,773

Dated: June 25, 2003

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of  
BEINDORFF ET AL

Serial No.: 09/863,439

Group Art Unit: 1654

Filed: May 24, 2001

Examiner: Coe

Title: BLENDS OF URSOLIC ACID/  
OLEANOLIC ACID

June 25, 2003

21/D  
M.G.J  
7/16/03  
(NE)

**AMENDMENT AND RESPONSE**

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Sir:

In response to the Examiner's Advisory Action dated April 17, 2003, please enter the following amendments:

**IN THE CLAIMS**

Amend the claims to read as follows:

Claim 1. (Currently Amended) A blend of a health component and a glyceride, wherein the health component is a mixture comprising ursolic acid and oleanolic acid in a weight ratio of 1:99 to 99:1, wherein the mixture is isolated from fruit skins and contains less than 20 wt % of the natural apolar and/or low molecular weight components present in natural extracts for ursolic acid and oleanolic acid which provide an off taste to said natural extract, and wherein the blend contains 4-99 5-80 wt % of one or more components selected from mono-, di- and triglycerides as the glyceride and the glyceride part of the blend displays a solid fat content measured by NMR-pulse on a non-stabilised fat at the temperature indicated of :